

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

Trading Technologies International, Inc.,	)
Plaintiff,	) Civil Action No. 10 CV 0715

v.

BGC Partners, Inc., Cantor Fitzgerald, L.P.,	) Judge Virginia M. Kendall
BGC Holdings, L.P., and BGC Partners, L.P.,	)
Defendants,	)

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Trading Technologies International, Inc.,	)
Plaintiff,	) Civil Action No. 10 CV 0716

v.

SunGard Data Systems, Inc.,	) Judge Virginia M. Kendall
SunGard Investment Ventures LLC,	)
and GL Trade Americas, Inc.,	)
Defendants,	)

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Trading Technologies International, Inc.,	)
Plaintiff,	) Civil Action No. 10 CV 0718

v.

CQG, Inc., and	) Judge Virginia M. Kendall
CQGT, LLC,	)
Defendants,	)

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Trading Technologies International, Inc.,	)
Plaintiff,	) Civil Action No. 10 CV 0720

v.

FuturePath Trading, LLC,	) Judge Virginia M. Kendall
Defendant,	)

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Trading Technologies International, Inc.,	)
Plaintiff,	) Civil Action No. 10 CV 0718

v.

IBG, LLC; Interactive Brokers	) Judge Virginia M. Kendall
Group, Inc.; IBG Holdings LLC;	)
and Interactive Brokers LLC,	)
Defendants,	)

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Trading Technologies International, Inc.,	)
Plaintiff,	) Civil Action No. 10 CV 0882

v.

Stellar Trading Systems, Ltd., and	) Judge Virginia M. Kendall
Stellar Trading Systems, Inc.	)
Defendants,	)

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Trading Technologies International, Inc.,	)
Plaintiff,	) Civil Action No. 10 CV 0883
v.	)
thinkorswim Group, Inc.,	) Judge Virginia M. Kendall
TD AMERITRADE, Inc., and	)
TD AMERITRADE Holding Corp.,	)
Defendants,	)
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Trading Technologies International, Inc.,	)
Plaintiff,	) Civil Action No. 10 CV 0884
v.	)
TradeStation Securities, Inc., and	) Judge Virginia M. Kendall
TradeStation Group, Inc.,	)
Defendants,	)
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Trading Technologies International, Inc.,	)
Plaintiff,	) Civil Action No. 10 CV 0885
v.	)
Open E Cry, LLC and optionsXpress	) Judge Virginia M. Kendall
Holdings, Inc.,	)
Defendants,	)
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Trading Technologies International, Inc.,	)
Plaintiff,	) Civil Action No. 10 CV 0929
v.	)
Rosenthal Collins Group, LLC,	) Judge Virginia M. Kendall
Defendant,	)
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Trading Technologies International, Inc.,	)
Plaintiff,	) Civil Action No. 10 CV 0931
v.	)
Tradehelm, Inc.,	) Judge Virginia M. Kendall
Defendant.	)

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**JOINT CONSOLIDATION STATUS CHART**

Pursuant to the Court's Order issued in Case No. 10-cv-715 on February 3, 2011, the parties submit the following chart of each party's current status in the individual cases.

Case No. 10-cv-715 TT v. BGC	Case No. 10-cv-716 TT v. SunGard
FIRMS & LEAD CONTACT	FIRMS & LEAD CONTACT
Plaintiff: <b>Steven F. Borsand</b> Trading Technologies International, Inc. 222 South Riverside, Suite 1100 Chicago, IL 60606	Plaintiff: <b>Steven F. Borsand</b> Trading Technologies International, Inc. 222 South Riverside, Suite 1100 Chicago, IL 60606
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Defendants: <b>Gary A. Rosen</b> Law Offices of Gary A. Rosen 1831 Chestnut Street, Seventh Floor Philadelphia, PA 19103	Defendant: <b>Philippe Bennett</b> Alston & Bird LLP 90 Park Avenue New York, NY 10016
Andrew Johnstone George C. Lombardi Winston & Strawn LLP 35 West Wacker Dr. Chicago, IL 60601	Lora A. Moffat Salans LLP 620 5th Avenue New York, NY 10020
	Brian Norkett (Local Counsel) Bullaro & Carton, P.C. 200 N. LaSalle St., Suite 2420 Chicago, IL 60601
MOTIONS & STATUS	MOTIONS & STATUS
Filed 8/9/10: BGC's Motion to Dismiss Second Amended Complaint [Dkts 46-49, 52, 54] -- Fully briefed as of 9/1/2010.	Filed 9/21/10: SunGard's Motion to Dismiss for failure to state a claim pursuant to Fed.R.Civ.P. 12(b)(6) [Dkts 49-52, 77, 80, 87] - Fully briefed as 11/17/2010.
-----	Filed 9/21/10: SunGard's Motion for Protective Order, TT's Cross-Motion for Protective Order [Dkts 53-57, 77, 79, 81, 129] -- Fully briefed as of 11/03/2010.
-----	Filed 10/12/10: SunGard's Motion to Disqualify [Dkt 73-77, 83, 85, 95, 107, 115, 130, 133] -- Fully briefed as of 12/14/2010.***
DISCOVERY	DISCOVERY
No formal schedule has been entered by the Court; parties have <u>not</u> exchanged initial disclosures pursuant to LPR 2.1; parties have <u>not</u> exchanged written discovery; no depositions have been taken.	No formal schedule has been entered by the Court; parties have exchanged initial disclosures pursuant to LPR 2.1; parties have exchanged written discovery; no depositions have been taken.*
SETTLEMENT	SETTLEMENT
The parties do not unanimously agree that a settlement conference with the Court will result in an agreed upon settlement.	The parties do not unanimously agree that a settlement conference with the Court will result in an agreed upon settlement.

\*The parties made disclosures under the Default Protective Order governed by the Local Patent Rules, but TT intends to request that the court enter the same protective orders that were entered in both the RCG and TradeStation cases

\*\*\*The same motion is presently pending before Judge Chang in related Case No. 05-4120, *Trading Technologies v. SunGard*.

Case No. 10-cv-718 TT v. CQG	Case No. 10-cv-720 TT v. FuturePath
FIRMS & LEAD CONTACT	FIRMS & LEAD CONTACT
Plaintiff: <b>Steven F. Borsand</b> Trading Technologies International, Inc. 222 South Riverside, Suite 1100 Chicago, IL 60606	Plaintiff: <b>Steven F. Borsand</b> Trading Technologies International, Inc. 222 South Riverside, Suite 1100 Chicago, IL 60606
<b>Leif R. Sigmond, Jr.</b> McDonnell Boehnen Hulbert & Berghoff LLP 300 S. Wacker Dr., Suite 3100 Chicago, IL 60607	<b>Leif R. Sigmond, Jr.</b> McDonnell Boehnen Hulbert & Berghoff LLP 300 S. Wacker Dr., Suite 3100 Chicago, IL 60608
Defendant: <b>Nina Y. Wang</b> Faegre & Benson 3200 Wells Fargo Center Denver, CO 80203	Defendant: <b>Philippe Bennett</b> Alston & Bird LLP 90 Park Avenue New York, NY 10016
Kara Cenar Bryan Cave 161 North Clark Street, Suite 4300 Chicago, Illinois 60601-3315	Lora A. Moffat Salans LLP 620 5th Avenue New York, NY 10020
	Brian Norkett (Local Counsel) Bullaro & Carton, P.C. 200 N. LaSalle St., Suite 2420 Chicago, IL 60601
MOTIONS & STATUS	MOTIONS & STATUS
No pending motions. However, TT will likely move to amend the complaint when the upcoming acquisition of CQG is complete. CQG intends to file a Motion for Leave to Refile its Counterclaims.	Filed 1/31/11: FuturePath's Motion to Dismiss pursuant to Fed.R.Civ.P. 12(b)(6) [Dkt 41]. A briefing schedule has not yet been set.***
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DISCOVERY	DISCOVERY
No formal schedule has been entered by the Court; parties have exchanged initial disclosures pursuant to LPR 2.1; parties have exchanged written discovery; no depositions have been taken.*	No formal schedule has been entered by the Court; parties have <u>not</u> exchanged initial disclosures pursuant to LPR 2.1; FuturePath has served written discovery; no depositions have been taken.
SETTLEMENT	SETTLEMENT
The parties are participating in a settlement conference with Judge Schenck in related Case No. 05-cv-4811, <i>Trading Technologies v. CQG et al.</i> , on March 23, 2011. Pending the outcome of those discussions, a settlement conference with the Court may fruitful.	The parties do not unanimously agree that a settlement conference with the Court will result in an agreed upon settlement.

\*The parties made disclosures under the Default Protective Order governed by the Local Patent Rules, but TT intends to request that the court enter the same protective orders that were entered in both the RCG and TradeStation cases

\*\*\*The same motion is presently pending before Judge Chang in related Case No. 05-5164, *Trading Technologies v. FuturePath*.

Case No. 10-cv-721 TT v. IBG	Case No. 10-cv-882 TT v. Stellar
<b>FIRMS &amp; LEAD CONTACT</b>	
Plaintiff: <b>Steven F. Borsand</b> Trading Technologies International, Inc. 222 South Riverside, Suite 1100 Chicago, IL 60606	Plaintiff: <b>Steven F. Borsand</b> Trading Technologies International, Inc. 222 South Riverside, Suite 1100 Chicago, IL 60606
<b>Leif R. Sigmond, Jr.</b> McDonnell Boehnen Hulbert & Berghoff LLP 300 S. Wacker Dr., Suite 3100 Chicago, IL 60609	<b>Leif R. Sigmond, Jr.</b> McDonnell Boehnen Hulbert & Berghoff LLP 300 S. Wacker Dr., Suite 3100 Chicago, IL 60610
Defendant: <b>Michael B. Levin</b> Wilson Sonsini Goodrich & Rosati 650 Page Mill Rd. Palo Alto, CA 94304	Defendant: <b>Ralph J. Gabric</b> Brinks Hofer Gilson & Lione NBC Tower - Suite 3600 455 North Cityfront Plaza Drive Chicago, IL 60611
<b>Steven P. Mandell</b> Mandell Menkes LLC 333 W. Wacker Dr., Suite 300 Chicago, IL 60606	
<b>MOTIONS &amp; STATUS</b>	
Filed 8/16/10: IBG's Motion to Dismiss the Amended Complaint for Lack of Personal Jurisdiction and Improper Venue [Dkt 38]. The motion was entered and continued. Motion has not been fully briefed.	No pending motions.
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<b>DISCOVERY</b>	
No formal schedule has been entered by the Court; parties have <u>not</u> exchanged initial disclosures pursuant to LPR 2.1; parties have <u>not</u> exchanged written discovery; no depositions have been taken.	A Pre-trial Scheduling Order was entered Oct. 13, 2010 [Dkt 38] and modified on Dec. 10, 2010 [Dkt 48] and Jan. 11, 2011 [Dkt 51]; parties have exchanged initial disclosures pursuant to LPR 2.1; parties have exchanged written discovery; no depositions have been taken.*
<b>SETTLEMENT</b>	
The parties do not unanimously agree that a settlement conference with the Court will result in an agreed upon settlement.	TT and Stellar have been engaged in ongoing settlement discussions, and the parties are interested in continuing these discussions via a court-hosted settlement conference.

\*The parties made disclosures under the Default Protective Order governed by the Local Patent Rules, but TT intends to request that the court enter the same protective orders that were entered in both the RCG and TradeStation cases

Case No. 10-cv-883 TT v. TD Ameritrade	Case No. 10-cv-884 TT v. TradeStation
FIRMS & LEAD CONTACT	FIRMS & LEAD CONTACT
Plaintiff: <b>Steven F. Borsand</b> Trading Technologies International, Inc. 222 South Riverside, Suite 1100 Chicago, IL 60606	Plaintiff: <b>Steven F. Borsand</b> Trading Technologies International, Inc. 222 South Riverside, Suite 1100 Chicago, IL 60606
<b>Leif R. Sigmond, Jr.</b> McDonnell Boehnen Hulbert & Berghoff LLP 300 S. Wacker Dr., Suite 3100 Chicago, IL 60611	<b>Leif R. Sigmond, Jr.</b> McDonnell Boehnen Hulbert & Berghoff LLP 300 S. Wacker Dr., Suite 3100 Chicago, IL 60612
Defendant: <b>Michael B. Levin</b> Wilson Sonsini Goodrich & Rosati 650 Page Mill Rd. Palo Alto, CA 94304	Defendant: <b>David J. Healey</b> Fish & Richardson P.C. One Houston Center 1221 McKinney Houston, TX 77010
<b>Steven P. Mandell</b> Mandell Menkes LLC 333 W. Wacker Dr., Suite 300 Chicago, IL 60606	
MOTIONS & STATUS	MOTIONS & STATUS
No pending motions. Defendants have not yet filed an Answer.	TradeStation agrees to coordinate discovery but intends to file a Motion to Sever Tradestation from the Consolidation Order based at least on the advanced state of the case relative to the other 9 cases and narrower issues.
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DISCOVERY	DISCOVERY
No formal schedule has been entered by the Court; parties have <u>not</u> exchanged initial disclosures pursuant to LPR 2.1; parties have <u>not</u> exchanged written discovery; no depositions have been taken.	On Oct. 7, 2010, the Court entered various pre-trial dates [Dkt 39]; parties have exchanged initial disclosures pursuant to LPR 2.1; parties have exchanged written discovery; no depositions have been taken.**
SETTLEMENT	SETTLEMENT
The parties do not unanimously agree that a settlement conference with the Court will result in an agreed upon settlement.	The parties do not unanimously agree that a settlement conference with the Court will result in an agreed upon settlement.

\*The parties made disclosures under the Default Protective Order governed by the Local Patent Rules, but TT intends to request that the court enter the same protective orders that were entered in both the RCG and TradeStation cases

\*\*TT's proposed protective order has been formally entered in this case.

Case No. 10-cv-885 TT v. OpenECry	Case No. 10-cv-929 TT v. RCG
<b>FIRMS &amp; LEAD CONTACT</b>	
Plaintiff: <b>Steven F. Borsand</b> Trading Technologies International, Inc. 222 South Riverside, Suite 1100 Chicago, IL 60606	Plaintiff: <b>Steven F. Borsand</b> Trading Technologies International, Inc. 222 South Riverside, Suite 1100 Chicago, IL 60606
<b>Leif R. Sigmond, Jr.</b> McDonnell Boehnen Hulbert & Berghoff LLP 300 S. Wacker Dr., Suite 3100 Chicago, IL 60613	<b>Leif R. Sigmond, Jr.</b> McDonnell Boehnen Hulbert & Berghoff LLP 300 S. Wacker Dr., Suite 3100 Chicago, IL 60614
Defendant: <b>Robert W. Unikel</b> Kaye Scholer LLP 70 W. Madison St., Suite 4100 Chicago, IL 60602	Defendant: <b>Geoffrey Baker</b> Dowell Baker, P.C. 201 Main Street, Suite 710 Lafayette, IN 47901
<b>MOTIONS &amp; STATUS</b>	
No pending motions.	Filed 1/13/11: TT's Motion to Compel Document Production [Dkt 47-49, 54]. The motion was entered and continued. RCG has produced (and continues to produce) documents in accord with Judge Pallmeyer's minute entry.
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<b>DISCOVERY</b>	
No formal schedule has been entered by the Court; parties have exchanged initial disclosures pursuant to LPR 2.1; parties have exchanged written discovery; no depositions have been taken.*	A Pre-trial Scheduling Order entered Aug. 24, 2010 [Dkt 31]; parties have exchanged initial disclosures pursuant to LPR 2.1; parties have exchanged written discovery; no depositions have been taken.**
<b>SETTLEMENT</b>	
The parties do not unanimously agree that a settlement conference with the Court will result in an agreed upon settlement.	The parties do not unanimously agree that a settlement conference with the Court will result in an agreed upon settlement.

\*The parties made disclosures under the Default Protective Order governed by the Local Patent Rules, but TT intends to request that the court enter the same protective orders that were entered in both the RCG and TradeStation cases

\*\*A protective order negotiated by the parties has been formally entered in this case.

Case No. 10-cv-913 TT v. Tradehelm	Case No. 10-cv-726 TT v. Cunningham
FIRMS & LEAD CONTACT	FIRMS & LEAD CONTACT
Plaintiff: <b>Steven F. Borsand</b> Trading Technologies International, Inc. 222 South Riverside, Suite 1100 Chicago, IL 60606	Plaintiff: <b>Steven F. Borsand</b> Trading Technologies International, Inc. 222 South Riverside, Suite 1100 Chicago, IL 60606
<b>Leif R. Sigmond, Jr.</b> McDonnell Boehnen Hulbert & Berghoff LLP 300 S. Wacker Dr., Suite 3100 Chicago, IL 60615	<b>Leif R. Sigmond, Jr.</b> McDonnell Boehnen Hulbert & Berghoff LLP 300 S. Wacker Dr., Suite 3100 Chicago, IL 60615
Defendants: <b>Bradford P. Lyerla</b> Marshall, Gerstein, & Borun LLP 233 S. Wacker Dr., 6300 Sears Tower Chicago, IL 60606	Defendants: <b>Stuart Smith</b> <b>George R. Spatz</b> McGuire Woods, LP 77 W Wacker, Suite 4400 Chicago, IL 60601
MOTIONS & STATUS	MOTIONS & STATUS
No pending motions.	-----
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DISCOVERY	DISCOVERY
No formal schedule has been entered by the Court; parties have <u>not</u> exchanged initial disclosures pursuant to LPR 2.1; parties have <u>not</u> exchanged written discovery; no depositions have been taken.	-----
SETTLEMENT	SETTLEMENT
The parties are actively engaged in settlement discussions and expect to settle shortly. As of today, the Court does not need to devote resources to aide in these discussions.	Settled and consent judgment entered [Dkts 60-71].

On behalf of all parties respectfully submitted,

Date: February 24, 2010

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**CERTIFICATE OF SERVICE**

I hereby certify that on February 24, 2011 I electronically filed the foregoing JOINT CONSOLIDATION STATUS CHART with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following persons at the given e-mail addresses and Via e-Mail:

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**(Case No. 10-CV-716)**

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s/Kirsten L. Thomson